

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zhao et al
Title : Multifunction Keyboard for a Mobile . . .
Application No. : 10/004,001
Filing Date : 11/1/01
Confirmation No. : 7436
Examiner : Tuan Pham
Group Art Unit : 2618
Attorney Docket : 555255012288

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL APPEAL BRIEF

Pursuant to a Notification of Non-Compliant Appeal Brief, and in accordance with Patent Appeals Specialist Regnald Tyson's instructions in a telephone conference with the undersigned on 6/11/09, two replacement pages – for Appeal Brief pages 2 and 4 – are enclosed. Replacement page 2 is amended to specify which claims are being appealed. Replacement page 4 is amended to specify locations in the specification for claim 56.

Respectfully submitted,

Mitchell Rose

Mitchell Rose (Reg. No. 47,906)
JONES DAY
901 Lakeside Ave.
Cleveland, OH 44114
(216)586-7094

6/11/09

I. REAL PARTIES IN INTEREST

The real party in interest is Research in Motion Limited as evidenced by an Assignment recorded at Reel/Frame 012354/0396.

II. RELATED APPEALS AND INTERFERENCES

There is no related appeal or interference to this application.

III. STATUS OF CLAIMS

Claims 1-41, 43 and 51-55 are cancelled. Claims 42, 44-50 and 56-58 are pending, finally rejected, and currently being appealed.

IV. STATUS OF AMENDMENTS

No amendment was filed after the final rejection being appealed.

mode control software module automatically controls whether the keyboard output signals from the keys are converted into character codes or telephony tone signals based on which of the plurality of software applications is active.⁴

B. INDEPENDENT CLAIM 47

Features of independent claim 47 are exemplified in the application by Fig. 1 (above). Claim 47 is directed to a communication device, exemplified in the application by mobile communication device 40 in Fig. 4.

The device includes a keyboard 10 having at least twenty six keys 12. Each of the twenty six keys 12 is labeled with a different letter of the alphabet and assigned a number.

The device further includes a means 56 for generating, for each key pressed by a user, a telephony tone signal corresponding to the number assigned to the pressed key.⁵

C. INDEPENDENT CLAIM 56

Features of independent claim 56 are exemplified in the application by Fig. 1 (above). Claim 56 is directed to a communication device⁶, exemplified in the application by mobile communication device 40 in Fig. 4.

The device includes a keyboard 10 having at least twenty six keys 12. Each of the twenty six keys 12 is labeled with a different letter of the alphabet and with a number. For example, in Fig. 1 (above), one key is labeled with the letter “A” and the number “2”; another key is labeled with the letter D and the letter “3”.⁷

⁴ specification [0029]

⁵ specification [0029] and Fig. 6

⁶ specification [0003]

⁷ specification [0017], [0022]